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Chair: Ms. Kupradze (Vice-Chair) ..... (Georgia)

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In the absence of Mr. Hilale (Morocco), Chair, Ms. Kuprazde (Georgia), Vice-Chair, took the Chair.

The meeting was called to order at 3 p.m.

Agenda item 72: Promotion and protection of human rights (*continued*)

(a) Implementation of human rights instruments (*continued*) (A/70/40, A/70/44, A/70/55, A/70/223, A/70/273 and A/70/302)

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/70/36)

1. **Mr. Minah** (Sierra Leone), speaking on behalf of the African Group, said that equal attention should be paid to the interdependence of development and respect for human rights, and that of economic, social and cultural rights, and political and civil rights. The African Group reiterated its deep concern about the disregard of the right to development within the United Nations system; the United Nations High Commissioner for Human Rights should put that right at the centre of his programmes in order to assist Member States in the implementation of the 2030 Agenda for Sustainable Development.

2. The African Group shared the concern about the current global migration crisis, and it commended the work carried out by the Office of the United Nations High Commissioner for Human Rights (OHCHR), in collaboration with the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and the Special Representative of the Secretary-General on International Migration and Development to address the problem. It sought to inject a human rights perspective into the global debate on migration, including through its role as co-Chair of the Working Group on migration, human rights and gender of the Global Migration Group.

3. The Group commended the efforts made by OHCHR to enhance the technical capabilities and expertise of developing countries, least developed countries and small island developing States in the work of the Human Rights Council. It welcomed the support provided to those countries through the Voluntary Technical Assistance Trust Fund to support participation in the universal periodic review mechanism.

4. The African Group was also concerned by attempts to undermine the international human rights system through the advancement of concepts pertaining to social issues that fell outside the accepted framework, which resulted in the diversion of resources to the detriment of internationally recognized rights, such as the right to development. The Office should act with restraint until the international community had defined the scope and application of such concepts.

5. No region in the world could claim to have fulfilled all its human rights obligations. The duty to implement human rights obligations fell first and foremost on Member States in their respective jurisdictions, regardless of their geographical location. Genuine improvements required political commitment, resources and long-term efforts in areas such as education, health, poverty eradication, and institution building and strengthening. The African Group supported the work of the Human Rights Council on the basis of General Assembly resolution 60/251, paragraph 1, which specified that the Council was a subsidiary organ of the General Assembly. The designation of a United Nations-wide senior focal point to promote the prevention of, protection against and accountability for reprisals and intimidation related to cooperation with the United Nations, its representatives and mechanisms, as recommended in Human Rights Council resolution 24/24 on cooperation with the United Nations, its representatives and mechanisms in the field of human rights, would have an impact throughout the United Nations system. The resolution had serious potential ramifications for the Council's mandate vis-à-vis the General Assembly, the Third Committee and other United Nations bodies in terms of binding decisions taken on behalf of other United Nations entities.

6. Human Rights Council resolution 5/1, paragraph 58 (g), stipulated that new mandates should be as clear and specific as possible, so as to avoid ambiguity. That was not the case with resolution 24/24. Since the adoption of General Assembly resolution 68/144 on the report of the Human Rights Council, the African Group had actively sought clarifications regarding resolution 24/24, but none had been forthcoming. It had appointed the Permanent Representative of Algeria as a co-facilitator for the consultations that the former President of the General Assembly had tried to initiate on resolution 24/24.

Unfortunately, no other co-facilitator had been appointed, and thus Member States had not been able to start consultations on that issue. As a result, resolution 68/144 had not been yet implemented. The deadlock concerning resolution 24/24 would continue until all Member States engaged actively in a consultation process, which must be comprehensive, transparent and inclusive.

7. Notwithstanding efforts by OHCHR, one region continued to account for 49 per cent of the composition of its staff, in breach of Article 101, paragraph 3, of the Charter of the United Nations. That imbalance could diminish the effectiveness of its work if the Office was perceived to be culturally biased and not representative of the United Nations as a whole. The dependence of OHCHR on extrabudgetary resources was at the heart of the imbalance. The High Commissioner should redouble his efforts to correct the current imbalance, despite budgetary contingencies.

8. The adoption of the Guidelines against intimidation or reprisals (the San José Guidelines) constituted a clear breach of General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, since it created new obligations for Member States. The chairpersons of the treaty bodies had exceeded their mandate when they had established further preventive measures. While the African Group endorsed international actions conducted within intergovernmental processes to consolidate the promotion and protection of fundamental human rights, any normative development of human rights must take place within the context of established intergovernmental consultations whose outcomes were consensual and transparent. The Group cautioned against any attempts to codify new norms outside the intergovernmental process and referred in that regard to the content and implications of the San Jose Guidelines. All United Nations bodies must respect their mandates and must not try to circumvent them through loose interpretations or generalizations of concepts and principles.

9. Member States and the United Nations system should adhere to the purposes and principles of the Charter, promote and respect its three pillars, one of which was human rights, and refrain from politicizing human rights and undermining the aims and purposes of the Organization.

10. **Mr. Koehler** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Armenia, Georgia, the Republic of Moldova and Ukraine, underlined the European Union's staunch commitment to the universality, indivisibility and interdependence of all human rights. The European Union was steadfast in its support for the role and work of the United Nations bodies in promoting and protecting human rights around the world.

11. The European Union reaffirmed its strong opposition to all forms of racism, racial discrimination, xenophobia and related intolerance and stressed the importance of international legal standards to promote and protect human rights and fight discrimination. It advocated and lent practical support to the ratification and implementation of international human rights treaties worldwide. It was heartened by the further increase in the number of ratifications and called on all States to consider acceding to human rights instruments and their optional protocols. The sustainability, effectiveness, efficiency and independence of the human rights treaty bodies were of great importance to the European Union. In 2015, the United Nations had conducted its first review of the implementation by the European Union of its obligations under the Convention on the Rights of Persons with Disabilities. It had benefitted greatly from the review and was giving active consideration to the concluding observations of the Committee on the Rights of Persons with Disabilities.

12. The European Union called on all States to cooperate fully and support the special procedures of the Human Rights Council. The mandate holders must be independent and must have free and unhindered interaction with individuals, civil society and other stakeholders. It had always facilitated visits, participated in discussions and carefully examined the recommendations of mandate holders. In 2015, the European Union had received in Brussels the second visit of the Special Rapporteur on the human rights of migrants and had responded publicly to his latest report on its management of the migration crisis. It was firmly committed to protecting the rights of migrants, but the root causes and other driving factors of

displacement and migration also needed to be addressed if lasting solutions were to be found.

13. The European Union called on all countries to engage with the universal periodic review mechanism, implement accepted recommendations and give further consideration to other recommendations. It stood ready to help with the practical implementation of the review's recommendations through the exchange of good practices, technical assistance and capacity-building.

14. The European Union welcomed the steps the High Commissioner for Human Rights had taken to increase the effectiveness and impact of his Office and to provide enhanced opportunities for close cooperation with Member States. To carry out its important functions, the Office needed to be independent, and it was incumbent upon all States to maintain its resources. The European Union also supported the efforts by the Human Rights Council to make its work more effective and to enhance its impact, in particular on the ground.

15. The 2030 Agenda for Sustainable Development was a landmark achievement that fully integrated the economic, social and environmental dimensions of sustainability. That approach, which took human rights and equality fully into account, was a significant evolution in the global development paradigm. The European Union would play its part in the implementation of the 2030 Agenda, which would shape its internal and external policies. The post-2015 negotiations had shown once again that the United Nations and Member States stood to gain from the involvement, knowledge and experience of civil society actors and other stakeholders. Networks of non-governmental organizations (NGOs) and independent national human rights institutions had played an important part in the run-up to the United Nations Sustainable Development Summit. The European Union was pleased that the role of independent national human rights institutions in the implementation of the 2030 Agenda had been explicitly recognized in the post-2015 process, and it strongly supported their activities aimed at convening national debates on the realization of human rights, ensuring advisory capacity for competent authorities, addressing human rights violations, disseminating human rights information and providing education in human rights.

16. The European Union stressed the right of individuals and members of organizations to have unhindered access to and communicate with the United Nations. The Human Rights Council must remain a safe space for NGOs and civil society to express concerns and raise issues. The European Union would vigorously oppose all efforts to limit the debate, and it would continue to speak out should human rights defenders be prevented from participating in debates or suffer reprisals after they cooperated with the United Nations human rights system.

17. **Ms. Pérez Gómez** (Colombia) said that her country was committed to the promotion and protection of human rights, and it had made significant normative progress and institutional changes with a view to recognizing the rights of all persons, in particular the most vulnerable.

18. Five years previously, Colombia had started a historic process of comprehensive support and reparation for the victims of the armed conflict. Under the Victims and Land Restitution Act, compensation had been paid to more than 500,000 persons and more than 172,000 hectares of land had been returned to persons who had been dispossessed. The armed conflict continued to be the greatest challenge to the promotion and protection of human rights in the country. Colombia was committed to working towards a peace agreement based on truth, justice, reparation and guarantees of non-repetition.

19. OHCHR had succeeded in placing human rights issues on the national agenda and had played a crucial role in capacity building in that area for State bodies and civil society organizations. OHCHR would be a cornerstone of Colombia's efforts to build peace, but it also could make a similar contribution in other countries which requested such assistance. It was therefore to be hoped that the requisite changes could be made to its structure and functioning so that it could be best able to discharge its work.

20. Colombia had made important progress in promoting equality, fighting discrimination and impunity, ensuring accountability and the rule of law, integrating human rights in development, widening the democratic space, establishing early warning mechanisms and protecting human rights in conflict situations. Cooperation with the Office had played a significant role in strengthening Colombia's ability to respond at national and regional level. Her delegation

stressed the importance of the interrelationship between migration and development and the need to focus on the rights of migrants with a view to harnessing their potential for society. Human rights must be the priority in that regard. Unilateral measures which had adverse effects on migrants, making them vulnerable and undermining their rights, must be avoided.

21. Colombia had ratified most international human rights instruments and had duly complied with its obligations in terms of periodic reports and requests for information. It supported the mechanisms and special procedures, and was up to date with the submission and consideration of its reports, which it regarded as an opportunity to improve the implementation of its international obligations.

22. **Ms. Gatto** (Italy) said that human rights were at the core of her country's foreign policy. Italy's support for the respect of human rights and fundamental freedoms was deeply rooted in its history, tradition and culture. It was important to continue to step up efforts to ensure the implementation of the three pillars of the United Nations: peace and security, development and human rights. In a time of continuing instability and violence, the protection of human rights was the key response to the mounting challenges of terrorism, demographic imbalance, movements of migrants and refugees, environmental challenges and climate change. In 2015, Italy had ratified the International Convention for the Protection of All Persons from Enforced Disappearance, which would enter into force within a few days. That was an important step towards a more comprehensive protection of human rights at home and abroad.

23. The best way to protect human rights was to prevent their violation. Disseminating early warning mechanisms, an initiative of the Secretariat which Italy supported, could be instrumental in that regard. Developed by the Office of the Special Advisers on the Prevention of Genocide and on the Right to Protect, the Framework of Analysis provided specific guidelines for risk analysis and placed crucial emphasis on the role of non-State actors, such as religious leaders and the media, thus constituting an essential tool for the timely and systematic detection of risks of atrocity crimes. In September, Italy had hosted a seminar of the Office of the Special Adviser on the topic of early warning mechanisms and the role of religious leaders in preventing atrocity crimes.

24. Aware of the critical role that understanding and tolerance played in conflict prevention and the strengthening of peace and security, Italy would continue to promote interfaith and intercultural dialogue. Religion was of crucial importance in preventing conflicts and must become a major factor of stability. Cooperation, dialogue, tolerance, mutual respect and understanding among all Member States, in line with the Charter of the United Nations, were imperatives of Italy's commitment to the advancement of the global human rights agenda.

25. **Ms. Moreno Guerra** (Cuba) reiterated her country's readiness to cooperate with all universally applicable and non-discriminatory United Nations human rights bodies on the basis of dialogue, mutual respect, the acceptance of sovereign equality and recognition of the right of each State to choose its own political system and institutions. It reaffirmed its support for General Assembly resolution 68/268, but stressed that its implementation must not lead to the establishment of new mechanisms that went beyond what was set out therein, in particular with regard to the mandates of bodies established pursuant the relevant international human rights instruments.

26. Her delegation was concerned about the proposal by the treaty body chairpersons to examine late and non-reporting by States parties. It was not the prerogative of any such body to do so. Nor had it been agreed to implement aspects of contentious resolutions, such as Human Rights Council resolution 24/24, which did not deal specifically with the mandate of those treaty bodies. Those bodies must not establish new legal obligations through their general observations or the follow-up procedure. The bodies established pursuant to human rights treaties had a basic role in monitoring compliance with the legal obligations which States assumed when they acceded to those instruments. Opening the door to manipulation or politicization would undermine that role, yet that might happen if the chairpersons approved guidelines and other provisions on aspects that resulted in polarization and division among Member States. An effective and objective functioning of the treaty bodies required genuinely diverse representation among its members; the representatives of developed countries must not hold the majority. Ensuring that committee membership reflected the different legal and political systems and different regional, cultural and religious contexts was just as important as guaranteeing the

independence and impartiality of experts. The proposal to put into practice the "Delivering as one" initiative ran counter to the principle that the assistance and cooperation of OHCHR with countries was based on their express request and could not be imposed. The initiative was not in accordance with General Assembly resolution 48/141 and the approved strategic framework.

27. Cuba would continue to advocate genuine cooperation, mutual respect, truth, justice, universality, impartiality and non-selectivity in the treatment of human rights issues.

28. **Ms. Sukontasap** (Thailand) said that efforts to achieve the sustainable development goals should bear in mind human rights principles. Her Government had been elaborating its twelfth National Economic and Social Development Plan, which would contribute to the achievement of the goals at the national level by focusing on reducing inequality and the improving the quality of education.

29. One of the most effective ways of preventing human rights violations was through a strong legal framework accompanied by effective implementation and law enforcement. In late 2014, her Government had adopted its third five-year National Human Rights Plan, which would serve as a framework to help government agencies promote and protect human rights more efficiently in their work. A number of human rights-related laws had been recently passed or revised. The 2015 Gender Equality Act protected against gender-based discrimination. An amendment to the Criminal Code that criminalized child pornography ensured better protection of children from sexual exploitation. A bill currently under consideration on the prevention and suppression of torture and enforced disappearance was in line with Thailand's obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance.

30. In Thailand, the fight against human trafficking was a national priority, the Prime Minister having declared a policy of zero tolerance which focused on strict law enforcement, especially with regard to corrupt officials. The Anti-Trafficking in Persons Act had been amended to provide better protection for informants and law enforcement officers, impose harsher punishment on traffickers and improve compensation to victims. The amendment also increased administrative power to inspect and suspend activities at a place of work where evidence of trafficking was found. At the bilateral level, Thailand had cooperated closely with neighbouring countries through memorandums of understanding on the protection of trafficking victims. New systematic registration of migrant workers would ensure that such persons were entitled to social security protection under Thai labour law so that they did not fall prey to exploitation, especially in the fishing industry and related sectors of the economy.

31. In the Human Rights Council, Thailand had long advocated technical assistance in the field of human rights, since capacity building was the most sustainable way of improving human rights protection on the ground. It valued the peer review system of the universal periodic review and was preparing its second cycle report for submission to the Human Rights Council in February 2016. Her delegation underscored the importance of engagement with civil society in the preparation of human rights reports and the implementation of human rights treaties. Further illustrating its commitment to human rights at international level, Thailand had recently withdrawn its interpretative declaration on article 18 of the Convention on the Rights of Persons with Disabilities, concerning freedom of movement and the right to nationality. In June, Thailand had presented its country report to the Committee on Economic, Social and Cultural Rights. A fruitful dialogue with the Committee had prompted all government agencies to work to improve the promotion and protection of human rights by following the recommendations in the Committee's concluding observations.

32. **Mr. Lukiyantsev** (Russian Federation) said that three significant seventieth anniversaries were being celebrated in 2015: the end of the Second World War, the establishment of the United Nations and the creation of the Nuremberg Tribunal. That lent special importance to discussions of the topic of promoting and protecting human rights. The principles proclaimed in the Universal Declaration of Human Rights, the human rights covenants and other international instruments had established the global standards and guidelines in the area. They had been set out in legal systems at universal, regional and national level and had become part of the set of measures aimed at

preventing a repetition of the greatest tragedy of the twentieth century.

33. Ensuring the rule of law and advancing fundamental rights and freedoms were important preconditions for maintaining stability and security. However, despite definite progress in recent years, all countries without exception still had many unresolved problems, irrespective of their political system, economic situation, history and traditions. The situation of human rights was a subject of legitimate concern for the international community, but there had been a dangerous tendency for some countries to use human rights as a pretext to interfere in the internal affairs of other States and to seek to impose their model of democracy on the whole world, despite systemic human rights problems at home. The use of double standards and a creeping erosion of human rights had been increasingly observed in human rights bodies in the United Nations. Political bias and lack of objectivity had been noted in the work of the special procedures of the Human Rights Council with regard to both thematic and country subjects. The treaty bodies must operate in full compliance with the principle of respectful cooperation and dialogue and must not take upon themselves judicial or other functions for which they did not have a mandate. Their main principle and purpose was to help States parties in fulfilling their treaty obligations. Universal human rights standards must be put into practice bearing in mind the civilizational, religious, cultural and historical particularities of each State. In that connection, it was unacceptable to depart from consensual agreements in intergovernmental negotiations on a reform of the treaty bodies or to abandon the principle of multilingualism.

34. The Vienna Declaration and Programme of Action had defined international cooperation as the basis for making progress in the area of human rights. It was important to adhere to that principle in both the Human Rights Council and in the Third Committee. The lamentable results when individual States departed from those principles could be seen in many parts of the world. Interference in the internal affairs of States without the consent of the legitimate Government, circumventing international legal procedures, led to tragedies for entire peoples, humanitarian crises and mass human rights violations.

35. Priority must be given to finding a political and diplomatic settlement of conflicts. A unique mechanism existed for assessing human rights situations, expressing concern and carrying out regular and voluntary monitoring in all Member States: the universal periodic review, probably the only procedure for which there was still a constructive and positive working environment.

36. The Human Rights Council should give priority to combating racism, religious and ethnic intolerance, and poverty, assisting vulnerable population groups, protecting private and family life and promoting mutual understanding and respect. Thematically, in celebration of the seventieth anniversary of the end of the Second World War, it was timely to consider, in all United Nations platforms, the question of strengthening efforts to counter the spread of contemporary forms of Nazism, racism and xenophobia. A major contribution to that endeavour would be the adoption of the traditional resolution on combating the glorification of Nazism, introduced by a broad range of sponsors from around the world. The Russian Federation urged support for that initiative.

37. The only way to achieve stability and well-being and ensure observance of human rights was by promoting constructive cooperation among States, involving all interested parties in the decision-making process and pooling efforts to combat new challenges and threats. That was the path that the Russian Federation was following, on the basis of strict observance of the rule of law in international affairs, including in the area of human rights.

38. **Mr. Baomran** (United Arab Emirates) said that as a recently elected member of the Human Rights Council, his country placed high priority on the protection of human rights. In 2015, it had contributed $1 million to support the work of the Office of the United Nations High Commissioner for Human Rights. Domestically, it promoted a culture of tolerance and had recently enacted an anti-discrimination law that banned hate speech.

39. The United Arab Emirates laid great stress on gender equality. In 2015, it had established a Gender Balance Council. Women had participated in great numbers in recent elections, and in October 2015, his country's candidate had become the first women representative on the Arab Commission for Human Rights. The United Arab Emirates focused on ensuring that all women could enjoy the right to education. It had pledged more than $7 million to the core funding

for UN-Women for the 2014-2015 period, and had been a sponsor of Security Council resolution 2242 (2015) on women and peace and security. It would continue to work for the empowerment of women as a member of the Executive Board of UN-Women.

40. People from around the world were benefiting from the prosperity achieved by the United Arab Emirates, and his Government was continuing to develop legislation protecting the rights of workers. In 2014, the United Arab Emirates had again ranked first in the world as a donor of development assistance relative to its national income. It would continue to support international partnerships for development and promote continued human rights progress while respecting cultural specificities and natural diversity.

41. **Mr. Osboei** (Islamic Republic of Iran) encouraged OHCHR to continue its efforts to strengthen and enhance the effective functioning of the human rights treaty body system in accordance with General Assembly resolution 68/268. In line with its principled position on cooperation with United Nations human rights mechanisms, the Islamic Republic of Iran engaged fully with the treaty bodies, including through the submission of its periodic reports. Iran had engaged substantively in the second cycle of the universal periodic review. Many of the resulting recommendations were being implemented and were in line with national development programmes. That Iran had accepted so many recommendations was in itself an indication of how seriously it took the promotion of human rights through co-operation and dialogue. It had continuously engaged with OHCHR at a number of levels, including high-level meetings with the High Commissioner and the Office, to enhance technical cooperation.

42. Certain States, pursuing narrow, politically motivated objectives, disregarded the serious human rights violations committed by their allies and instead targeted other countries, in flagrant violation of the principles of universality, objectivity and non-selectivity in addressing human rights issues set out in the Vienna Declaration and Programme of Action. The adoption of irrelevant country-specific resolutions in the Third Committee, the General Assembly and the Human Rights Council were prejudicial to the cause of human rights. Despite the achievements of the Vienna Declaration in a number of areas, it was a matter of concern that, contrary to its principles, many issues, such as the enhancement of international cooperation and respect for the national and regional particularities of Member States in dealing with human rights, had not received proper attention. It was disappointing that the report contained in document A/70/36 included statements which did not enjoy universal consensus.

43. In blatant disregard of the Vienna Declaration and of human rights and humanitarian principles, certain States continued to resort to unilateral measures to advance their political aims. It was high time to conduct a comprehensive assessment of shortcomings in the implementation of the Vienna Declaration and obstacles to the attainment of its goals.

44. **Ms. Sule** (India) said that her delegation valued the expertise of OHCHR in strengthening States' capacities in the field of human rights and its emphasis on the principles of impartiality, non-selectivity and objectivity. To have a more meaningful and sustained impact, assistance offered by United Nations human rights machinery should be upon request and as per the priorities and specific circumstances of the country concerned. The inherent ambiguities in governance and administrative arrangements were hindering the performance of the Office. Member States must agree on a mechanism to address longstanding issues relating to its funding, staffing, priority-setting processes, transparency and accountability.

45. The continued success of the Human Rights Council as the primary United Nations platform for promoting universal respect for the protection of human rights hinged on its ability to function in a non-selective, non-politicized and transparent manner. The Council and its mechanisms should avoid selective country spotlighting and intrusive monitoring, which had proved time and again to be counterproductive, and should focus instead on enhancing genuine dialogue and cooperation. It was important to retain the universality of the universal periodic review and to improve further its efficiency and impact by rationalizing recommendations and refraining from using it for imposing specific thematic issues that had yet to acquire universal acceptance. Ways must be found to support developing countries, particularly the least developed, in implementing the recommendations which they accepted, for example through capacity building and technical assistance programmes. Special mandate holders and human rights treaty bodies must avoid unnecessary duplication or overlap and remain fully independent and transparent in the performance

of their duties. The measures identified in General Assembly resolution 68/268 should be closely followed up to facilitate the effective implementation of treaty obligations by State parties.

46. As the world's largest democracy, with a proud history of unity in diversity, strong constitutional safeguards for fundamental freedoms, a progressive Parliament, an independent and impartial judiciary, a free and vibrant media and a thriving civil society, India championed the idea of a just and equitable society. It had played a part in the drafting of the Universal Declaration of Human Rights, giving prominence therein to equal rights for women and men. Respect for and promotion of human rights for all was an integral component of India's efforts to achieve inclusive and sustainable development. That was reflected in her Government's shift from welfare to a rights-based approach in its socioeconomic policies and programmes.

47. A holistic and integrated approach that recognized the interdependence, interrelatedness and indivisibility of all human rights, including the right to development, should be at the centre of collective efforts to promote and protect human rights. The goal of transforming the world by 2030 could become a reality only if the inalienable right to development for all was upheld and an equitable and just international order was created for its realization. With that perspective in mind, India remained committed to strengthening human rights mechanisms at the local, regional and international levels and stood ready to contribute constructively to fostering a global culture of respect for all human rights for all.

48. **Ms. Goldrick** (Nicaragua) said that her country promoted and ensured the full enjoyment of all human rights through the national Human Development Plan. The Plan reaffirmed the aims of the Government of Reconciliation and National Unity: to improve the living conditions of all Nicaraguans, in particular the poorest, eradicate poverty, maintain peace and public safety, promote well-being for all and ensure the common good, in harmony with Mother Earth.

49. Nicaragua was a party to the main human rights instruments, and the rights protected therein were enshrined in its Constitution and other legislation. The Office of the Human Rights Advocate monitored, promoted and protected human rights and was committed to the Paris Principles in the discharge of its work. Nicaragua also had a Special Office of the Ombudsperson for Sexual Diversity. A bill on violence against women had recently been passed which contributed to prevention and promoted better access to justice for victims of domestic and sexual violence. Investments had been made to improve the situation of persons in detention. As part of resocialization projects, detainees could enrol in training programmes, and many of them had subsequently found employment.

50. Nicaragua would continue its efforts to amend its legal framework to ensure the promotion and protection of human rights, in compliance with international human rights norms. In 2014, during the universal periodic review, it had underscored the progress made in promoting human rights, education, health care and the fight against poverty.

51. **Mr. Khan** (Pakistan) said that his country's commitment to fundamental human rights and freedoms was firmly embedded in the national Constitution; those rights included the right to life and liberty, safeguard from arbitrary detention, slavery and bonded labour, protection against retrospective or double punishment or self-incrimination, inviolability of dignity and privacy, and freedom of speech, movement, association and assembly. The protection of minorities was a top government priority. The Ministry of Religious Affairs and Interfaith Harmony had been established to cater to the special needs of minorities and to promote interfaith dialogue and understanding. The National Commission on Minorities had been fully functional since 2014, with the power to address all aspects of minority rights. Steps had also been taken for the political and economic empowerment of minorities. His Government valued its constructive engagement with organizations of civil society. However, as in all civilized and democratic societies, the Government had the sovereign right to know about the scale and sources of their funding, both from within and abroad, and to monitor its utilization in the country. No international NGO was prevented from working in Pakistan, and the purpose of the new registration process was to bring the activities of those bodies within the ambit of national law and to ensure public safety. All national and international NGOs were free to work as long as they abided by the recognized principles of neutrality, transparency and respect for national law. There was no discrimination in that regard.

52. Member States had the prime responsibility of protecting the lives and liberties of all citizens, in accordance with their constitutional obligations and international human rights conventions. All groups and individuals engaged in promoting and defending human rights were entitled to equal protection of law within that legal framework. It would be more useful to assist Member States in strengthening law enforcement rather than trying to create new categories and sub-categories of human rights defenders.

53. Pakistan was committed to upholding the freedom of the media and to protecting journalists in the performance of their duties. The Prime Minister had established a Media Commission, which brought together government officials and media representatives, to address all issues pertaining to the protection of journalists. The Government had also set up a special Media Security Committee, which functioned under the supervision of the Prime Minister. Special prosecutors had been appointed to deal with cases involving attacks on journalists.

54. The voluntary moratorium on the death penalty had been lifted at the unanimous demand of all the political parties following the barbaric massacre of more than 100 schoolchildren in Peshawar in 2014. The death penalty was part of the criminal justice system in many countries, and it was not prohibited by international law. In Pakistan, it was imposed for the most serious crimes only, under due process of law and bearing in mind the principle of legality. The courts in Pakistan were fully independent, and all legal avenues were exhausted before any sentence was carried out. The Juvenile Justice Ordinance protected the rights of minors in conflict with the law.

55. A major achievement in 2015 had been the creation of an independent and autonomous National Commission for Human Rights in accordance with the Paris Principles. The Commission had been given wide powers to monitor the human rights situation in the country, investigate violations, assist the victims and make recommendations to the Government. Its chairman and members were appointed by a parliamentary committee, and they were not answerable to the Government. The Commission could summon witnesses, obtain documents, visit detention centres, review human rights laws and make national action plans for the promotion of human rights. His delegation was confident that the Commission would help the Government in fulfilling its constitutional commitments and meeting its international human rights obligations in the years to come.

56. **Ms. Rasheed** (Observer for the State of Palestine) said it was deplorable that, a year after the appointment of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, and despite Israeli assurances, the Special Rapporteur had been prevented from carrying out his mandate. Israel must be reminded that cooperation was a fundamental legal obligation. The United Nations must take the necessary action to remedy that grievous situation.

57. Palestine was experiencing a human rights crisis. Every aspect of life was being infringed upon, and every human right was being violated, as Israel, the occupying Power, continued to subjugate the Palestinian people and to entrench its occupation, disregarding international law and the global consensus on a peaceful settlement. Israeli forces and armed terrorist settlers had intentionally killed men, women and children; extrajudicial executions had been committed; lands had been stolen and colonized to build illegal settlements and an illegal wall, homes and properties had been destroyed, leaving thousands homeless and displaced; more than 6,000 Palestinians, including children, some as young as eight years of age, had been imprisoned and detained and had been subjected to all forms of physical and psychological abuse, including torture; holy sites, including in occupied East Jerusalem, had been desecrated; the Palestinian people's natural resources had been exploited; Palestinians had been segregated and isolated and their movements obstructed by countless measures, including an annexation, an apartheid wall, a permit regime, hundreds of checkpoints and Israeli-only roads; and the entire Palestinian civilian population had been the victims of systematic and collective punishment. The Israeli occupation had repeatedly demonstrated its racist, aggressive and expansionist agenda and total lack of respect for and denial of Palestinian rights, impacting every facet of Palestinian life.

58. Israel's blatant violations of international law were evident, as Israeli occupying forces and extremist settlers and settler militias had unleashed a wave of aggression, provocation and incitement against the Palestinian civilian population. Since early October, more than 73 Palestinians had been killed, including more than 10 children, often in extrajudicial

executions. More than 2,200 Palestinians had been injured, many severely, due to Israel's use of live ammunition against an unarmed, defenceless civilian population. Hundreds more Palestinians had been detained and arrested. Homes had been demolished in blatant acts of reprisal and collective punishment, leaving entire families homeless. The Palestinian people would continue to suffer from Israel's brutality until the occupation was brought to an end. Until such time, her delegation would continue to insist that the defenceless Palestinian civilian population was entitled to protection under international humanitarian law. The Palestinian people could not remain the exception to the responsibility to protect civilians from atrocities and flagrant breaches of the law. Her delegation would not tire in working for the protection of its people, accountability for all Israeli war crimes and justice for the victims.

59. With regard to the need for protection, or rather the absence of protection, her delegation recalled the devastation inflicted by the occupying Power on the Palestinian people in the besieged Gaza Strip in the summer of 2014, where the occupying forces had killed 2,251 Palestinians, including more than 550 children and 299 women, and injured 11,231, caused massive forced displacements and wanton destruction to homes, schools, hospitals and vital civilian infrastructure, and terrorized and traumatized the entire population.

60. In addition to the human insecurity caused by Israel's war against Gaza in 2014, the Palestinians had been the victims of a humanitarian disaster deliberately inflicted by Israel through its illegal eight-year blockade of Gaza. That situation was totally unsustainable and highly volatile, and it must be remedied urgently to prevent further deterioration and another destructive cycle of violence.

61. Despite the gravity of the situation, her delegation had not given up on peace, and it called on the international community to assume its responsibilities at the current crucial juncture and to salvage the small prospects that remained to make peace a reality. Israel, the occupying Power, must be ordered to cease all its illegal policies and practices in the occupied State of Palestine, including East Jerusalem, immediately and completely and to abide scrupulously by all its legal obligations, and it must be held accountable should it persist with its violations. Accountability was fundamental for ending impunity.

62. **Mr. Kydyrov** (Kyrgyzstan) said that his country had worked to make human rights a priority in the 2030 Agenda for Sustainable Development. Kyrgyzstan's new Constitution highlighted the overriding importance of human rights and freedoms, and it prohibited torture and other inhuman, cruel or degrading treatment or punishment. The State monitored policies and initiatives to eradicate torture in Kyrgyzstan at the highest level.

63. As a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Kyrgyzstan was taking systematic measures to implement its provisions and to strengthen international cooperation. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and a delegation of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had visited Kyrgyzstan. Following up on the recommendations of United Nations mandate holders, in 2014 his Government had adopted the Plan of Action on Prevention of Torture, which provided for a set of measures in the areas of legislation, awareness-raising, and organizational and technical support.

64. In recent years, Kyrgyzstan had been giving special attention to improving national legislation in line with its international obligations. A number of changes had been introduced into the Criminal Code. Torture was now classified as a serious or very serious crime and entailed harsher criminal penalties. The National Centre for the Prevention of Torture, established in 2013, had unrestricted access to places of detention without prior notice and could make recommendations that must be taken into account by government authorities. In 2013, Kyrgyzstan had presented its country report to the Committee against Torture, and in its concluding recommendations, the Committee had welcomed the adoption by Kyrgyzstan of a number of legislative measures aimed at strengthening the fight against torture. The ongoing reform of law enforcement agencies was expected to make a significant contribution to those efforts. Also in 2013, measures had been adopted to establish effective mechanisms for the strict observance of professional ethics and human rights by the police. The Police Academy and the Training Centre of the penitentiary system had begun holding lectures on the prevention of torture and on international standards regarding the treatment of prisoners. Regular training courses on

those topics were conducted for prosecutors, judges and health-care workers. A special medical examination for prisoners had been approved which made possible a timely detection of physical injuries and mental trauma. Video cameras had been installed in all pre-trial detention centres, investigation offices and interrogation rooms. The ombudsman and the civil sector had an important role to play. In 2010, a memorandum on cooperation in the sphere of human rights had been signed by the relevant government agencies, the ombudsman, NGOs and the Organization for Security and Cooperation in Europe (OSCE), pursuant to which the signatories of the memorandum had unimpeded access to places of detention and prisons. Public supervisory boards composed of NGO representatives had been set up within all ministries and government agencies, where they served as a platform for dialogue with civil society on human rights issues, including the prevention of torture.

65. The practice of torture could only be eradicated through a joint effort, in strict compliance with the principles of the rule of law and the priority of human rights. Kyrgyzstan was in favour of enhancing international cooperation and harnessing the potential of national institutions in that area.

66. **Ms. Yagachi** (Japan) said that the Government had been taking concrete measures, including through bilateral human rights dialogues and active participation in various international forums, to make progress on human rights. Japan was proactive in addressing the protection and promotion of the rights of women and had been faithfully implementing the universal periodic review and all relevant human rights treaties.

67. Japan's reports on the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination had been considered by the relevant committees in 2014. Its report on the Convention on the Elimination of All Forms of Discrimination against Women, which would be considered in 2016, had taken into account the previous recommendations of the Committee. Japan's reports on the Convention on the Rights of Persons with Disabilities and on the Convention on the Rights of the Child would also be submitted in 2016.

68. It was crucial for each human rights treaty body to work efficiently and effectively. Japan had been actively engaged in the intergovernmental process of the General Assembly on strengthening and enhancing the effective functioning of the human rights treaty body system and believed that the international community must remain committed to strengthening the effectiveness of that system.

69. Japan had ratified the Convention on the Rights of Persons with Disabilities in 2014. Since signing the Convention in 2007, Japan had intensively introduced or reformed relevant domestic legislation, taking into account the opinions of persons with disabilities. A newly adopted law on the elimination of discrimination against persons with disabilities would enter into force in 2016. A set of guidelines based on that law was currently being prepared.

70. Japan would continue to make efforts and take initiatives in the field of human rights, particularly women's rights, an issue to which the current administration attached great importance.

71. **Ms. Abdullah** (Iraq) said that during the previous year, the Government of Iraq had presented national reports to the relevant monitoring committees for the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention for the Protection of All Persons from Enforced Disappearance; the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; and the Convention on the Rights of the Child and its two optional protocols on the on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict. Those reports had been prepared by various Government ministries with participation of the relevant civil society organizations, and demonstrated the commitment of the Government of Iraq to human rights.

72. **Mr. Yao** Shaojun (China) said that all parties concerned should implement General Assembly resolution 68/268 in a comprehensive and balanced manner and avoid cherry-picking, ensuring that plans and practices associated with implementation and the effect they produced were in line with the goals of the resolution. The treaty bodies and the Office of the High Commissioner for Human Rights must therefore engage further in thorough and timely communication with the States parties and steer implementation of the resolution towards enhancement of effective

functioning of the treaty body system. China also looked forward to early elaboration by the treaty bodies of effective working methods as required by the resolution, so as to reduce additional implementation obligations on States parties.

73. Treaty bodies should act in keeping with the requirements of their respective treaties, conduct their work with the support of the conferences of States parties under the principles of objectivity, impartiality and independence, genuinely respect their treaty-derived mandates and help States parties implement the treaties more effectively through constructive dialogue carried out on an equal footing.

74. China had noted the adoption of Guidelines against Intimidation or Reprisals, also known as the San José Guidelines, by the meeting of the chairs of the treaty bodies. China was of the view that the primary responsibility for protecting individuals from intimidation and reprisals lay with each State party. Such guidelines should therefore be formulated through consultations involving States parties and treaty bodies, rather than through a unilateral decision by the meeting of the chairs. There were, moreover, inconsistencies between various parts of the Guidelines and the provisions of the relevant treaties. Full consultation with States parties on the Guidelines was therefore necessary. It was inappropriate to disseminate and implement the Guidelines before consensus was reached.

75. While China highly valued the role of civil society in promoting and protecting human rights, the participation of non-governmental organizations in the deliberations of treaty bodies must be in line with United Nations norms and regulations, such as Economic and Social Council resolution 1996/31. Treaty bodies should attach importance to information provided by the Governments of States parties and had a duty to screen information from other sources for veracity and reliability.

76. In October 2014, China and the Committee on the Elimination of Discrimination against Women had held an interactive dialogue on China's combined seventh and eighth periodic report. The Committee against Torture would consider China's sixth report in December 2015.

77. **Ms. Kulczer** (Australia) said that Australia's strengths included the protection and promotion of the rights of women and girls globally. Australia worked with partner countries to strengthen democratic processes and institutions and build strong national human rights institutions.

78. Australia was committed to abolition of the death penalty worldwide. The death penalty was not an effective or justifiable punishment for any crime. It was gratifying that Fiji, Madagascar and Suriname had all formally abolished the death penalty during the preceding year.

79. Australia was strongly committed to advancing the rights of indigenous peoples around the world. It celebrated indigenous cultures, supporting the empowerment of indigenous people to represent their concerns, both domestically and internationally.

80. Ongoing gross human rights violations and abuses across the globe in turn created threats to international peace and security. Australia was proud to have led efforts to have the Security Council consider the situation in the Democratic People's Republic of Korea in December 2014, building on the groundbreaking work of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea. The human rights violations committed by the Government of that country were on an unimaginable scale. Australia was committed to working with the international community to address the human rights situation there and to ensure that perpetrators were held to account. The establishment in June 2015 of a field office of the Office of the High Commissioner for Human Rights in Seoul was an important development that built on previous work to systematically develop the evidence base with regard to violations of the inherent rights of the people of the Democratic People's Republic of Korea. However, much remained to be done. Australia urged the Security Council to address the situation, as there was a clear link between the international human rights situation and the threat to international peace and security.

81. Gross human rights violations by Islamic State in Iraq and the Levant (ISIL) and other terrorist groups in the Syrian Arab Republic and Iraq, as well as by the Assad regime, were of grave concern. In addition to humanitarian support to displaced people and the communities hosting them, and in addition to its annual humanitarian intake, Australia was offering protection to 12,000 Syrian and Iraqi refugees.

82. Australia had always been at the forefront of international human rights advocacy, considering it

both a responsibility and a necessity to participate actively in international systems and processes that promoted and protected human rights. In that regard, it was gratifying to see that the 2030 Agenda and the Sustainable Development Goals sought to realize the human rights of all, which included gender equality and the empowerment of all women and girls. The principled and pragmatic advocacy of human rights was embedded in the Australian national character and values.

83. **Ms. Fofana** (Burkina Faso) said that the legal and political environment of Burkina Faso reflected the fact that human rights were at the core of its national policy. The political system in Burkina Faso was based on separation of powers, which created conditions favourable to respect of human rights. The legal human rights framework encompassed the international human rights instruments, the Constitution, legislation and regulations. Human rights initiatives under way included a review of the penal code to domesticate international conventions addressing child labour, torture and violence against women, inter alia, and the adoption, in 2014, of laws to prevent and suppress torture and similar practices; to define and eliminate the sale of children, child prostitution and child pornography; and to protect children in conflict with the law.

84. Owing to awareness efforts and cooperation among the relevant actors, freedom of association and assembly, the freedom to demonstrate, the right to information, freedom of expression and freedom of thought, conscience and religion were freely enjoyed with respect for the laws and regulations in force. There had also been progress with regard to economic, social and cultural rights. A law that provided for free education and the implementation of a ten-year plan for basic education had resulted in an increase in school enrolment from 71.8 per cent in 2007-2008 to 80 per cent in 2014.

85. The national health plan and an HIV/AIDS plan had led to progress on health care. Certain types of care had been made free of charge, including vaccinations for all children in the relevant age groups, as well as vaccinations during major epidemics.

86. A dynamic agricultural policy had led to advances in the right to food. Trade union rights were increasingly respected, owing to the establishment of social dialogue between the Government and trade unions, as well as greater respect for the right to strike and freedom to demonstrate. Cultural rights had been advanced through such major cultural events as a national week of culture and various music and art festivals in the capital city and elsewhere. Such events also boosted Burkina Faso's international renown.

87. A law preventing and punishing corruption had been adopted, and a national covenant on revitalization of the justice system had been signed, with implementation planning now under way. Following the popular uprising in October 2014, Burkina Faso had worked unflaggingly to bring integrity, independence and honesty to the judicial system. The establishment of an ad hoc interministerial committee tasked with reporting on human rights violations during the insurrection, which had submitted a report to the Ministry of Justice, was part of that programme, as was establishment of a national reform and reconciliation commission. Some criminal cases involving economic crimes and crimes of violence were being re-examined.

88. Burkina Faso cooperated fully with the treaty bodies and special procedures of the Human Rights Council, including by responding to special procedures questionnaires and submitting reports to the treaty bodies. Reports for the second cycle of the universal periodic review, the Committee on the Elimination of Racial Discrimination, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention against Torture had all been submitted in 2013.

89. The greatest challenge for Burkina Faso was to make it possible for everyone in the country to enjoy their human rights, without discrimination. That was the goal the Government sought to achieve through its national human rights and civil promotion policy, as well as through strengthened cooperation with civil society.

90. **Mr. Habib** (Indonesia) said that it was important for all the human rights treaty bodies to carry out their respective mandates holistically so as to address the overlapping nature of their work, which should be aimed solely at enhancing the implementation of each country's international human rights obligations. At the same time, it was imperative for the members of the human rights treaty body system to maintain their independence, professionalism and accountability.

91. The High Commissioner for Human Rights and the Office of the High Commissioner were important partners in the common endeavour of promoting and protecting human rights. Their work and engagements were continually growing in terms of both field presence and special procedures.

92. That engagement needed political and financial support. The High Commissioner and the Office of the High Commissioner must be able to discharge their mandates in a coherent, effective, objective, independent and non-politicized manner. On the other hand, the independent external assessment of the regulatory frameworks and related practices conducted by the Joint Inspection Unit was important, as was implementation of the Vienna Declaration and Programme of Action.

93. The fourth generation of the Indonesian national human rights plan of action had been adopted in June 2015. The approach and programme in the new plan of action were more focused, concrete and measurable. It contained six main strategies: enhancement of the implementing institutions; ratification and reporting on implementation of international human rights instruments; harmonization and evaluation of the national regulations in the context of human rights; public education and awareness-raising; implementation of human rights standards and norms; and complaint mechanism services.

94. In that context, Indonesia was preparing new, comprehensive laws on persons with disabilities, against torture and for protection of domestic workers. It was also drafting a report on national implementation of international human rights instruments. In addition, the Government was continuing efforts towards full implementation of the newly established juvenile justice system, which would better serve the best interests of the child on the basis of principles of restorative justice.

95. **Mr. Gumende** (Mozambique) said that the Republic of Mozambique had been founded upon the principles of democracy, the rule of law and justice for all. Its Constitution contained a bill of rights that provided for the protection of fundamental rights and freedoms. All State institutions were charged with upholding, respecting, protecting and guaranteeing those rights and freedoms. Mozambique had acceded to the relevant subregional, regional and international human rights treaties and conventions and was voluntarily participating in the universal periodic review, including its second cycle, which would take place in January 2016. The relevant report was being finalized. As always, it had been drafted with the engagement of civil society and other relevant stakeholders.

96. The Constitution and other domestic legislation also provided for the establishment of national institutions, such as a national commission on human rights and an ombudsman, which were mandated to ensure respect for the rule of law and protection of citizens' rights. The Office of the High Commissioner for Human Rights had provided support to the human rights commission, particularly in identifying gaps in practices and provision of relevant recommendations, as well as other technical and financial support.

97. Respect for human rights was the cornerstone of democratic governance and a fundamental element in the promotion of sustainable development. A national plan containing the vision for 2025 and the national poverty reduction action plan captured the principles of protection and promotion of human rights, access to justice and equality, good governance and the rule of law. Strengthening the justice system and reducing poverty were among the top priorities for the five-year government plan. Mozambique was also committed to becoming a corruption-free society, with important legislation in that regard currently being implemented.

98. The Government was concerned about social discrimination and the killing of persons with albinism, and therefore welcomed the decision of the Human Rights Council to establish a new special procedure on the human rights of persons with albinism. The Government of Mozambique had decided to establish a working group to identify elements for the development of a strategy to address that increasingly disturbing social phenomenon.

99. **Mr. Alotoom** (Jordan) said that in spite of current conditions in the Middle East, Jordan had taken measures to ensure the continued enjoyment by its citizens of the human rights provided for by the Islamic sharia and the international human rights instruments to which the Kingdom was party. Close to one third of the articles in the Jordanian Constitution had been amended with a view to enshrining the principles of justice, equality and the separation and balance of powers. A human rights coordinator had recently been appointed to supervise harmonization of

Jordanian legislation with international human rights instruments.

100. In 2002, Jordan had established a National Centre for Human Rights to identify gaps in Government compliance with human rights standards and to receive complaints from citizens. It worked to mainstream human rights into educational curricula, develop national human rights legislation, provide support to marginalized groups and increase popular participation in decision-making. The Government had also established an Office for Transparency and Human Rights in the Directorate of Public Security to verify the compliance of police procedures with human rights standards.

101. Jordan took steps to ensure human rights not only for its citizens, but also for refugees living on its territory, despite the enormous pressure that put on the country's limited resources. He urged the international community to provide the resources needed by the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Food Programme (WFP) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to carry out their work. The human rights violations being committed by terrorists in the Middle East were in contravention of the principles of both international law and the divinely revealed religions. No discussion of human rights would be complete without mention of the violations being suffered by the Palestinian people at the hands of the occupation authority, and he called on the international community to carry out its responsibility to enable the Palestinian people to live a life of dignity in an independent State on Palestinian national soil.

102. **Mr. Sukhee** (Mongolia) said that during the previous year, Mongolia had ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Minimata Convention on Mercury, the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are Blind, Visually Impaired or Otherwise Print Disabled, and International Labour Organization Conventions No. 88, 176 and 181.

103. Under the Constitution, international treaties to which Mongolia had acceded had the same effect as domestic legislation. Mongolia was revising its law on international treaties to make it mandatory to draft necessary amendments to existing or new laws simultaneously with an international ratification procedure of international treaties and conventions that explicitly or implicitly contained such requirements.

104. Mongolia had been conducting extensive, systematic legal reforms over the past 25 years. Parliament was currently considering a revised draft of the Criminal Code that would abolish the death penalty. It would also criminalize all forms of torture, in line with the definition of torture contained in article 1 of the Convention against Torture. The Human Rights Commission of Mongolia would be responsible for the national preventive mechanism. Mongolia recognized the mandate of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture. During its 2015 fall session, the Parliament would consider revised drafts of the Law on the Human Rights Commission, the Law on the Rights of the Child, the Law on the Protection of the Child, the Law on Domestic Violence and the Labour Law, all aimed at integrating treaty provisions into national legislation.

105. Mongolia, whose second national report had been successfully reviewed in May 2015, was of the view that universal periodic review recommendations served as soft law, a self-monitoring system for the Government of its human rights record and an instrument for civil society to demand effective implementation by the Government. In collaboration with the United Nations country team, the Government of Mongolia had organized a coordination meeting for universal periodic review stakeholders in early November, in which representatives of over 40 Governments and non-governmental organizations had participated.

106. The Law on Legislation, enacted in May 2015, legally required drafters of legislation to receive comments on human rights perspectives from all stakeholders, including civil society organizations and non-governmental human rights organizations, and to provide feedback on those comments.

107. **Mr. Nina** (Albania) said that the United Nations human rights treaty body system was one of the greatest achievements in the global quest for human rights. The treaty bodies, which were at the heart of the international human rights protection system, provided

for necessary guidance on human rights standards and treaty implementation by States parties. Albania strongly supported the independence of treaty bodies, which was necessary to maintain the credibility and integrity of the system and to guarantee the impartial treatment of States parties.

108. A party to all core United Nations and regional human rights treaties and instruments, Albania remained fully committed to the universal promotion and protection of human rights and fundamental freedoms and supported the integration of the human rights dimension into all United Nations policies. States should further strengthen implementation of existing instruments at the global or regional level, while also considering acceding to all core human rights treaties and optional protocols.

109. Albania remained a strong supporter of the Human Rights Council, the main United Nations body for the promotion and protection of all human rights, for all individuals everywhere. Albania was committed to the effectiveness of the Council and its mechanisms, and to their leading role in addressing human rights violations and promoting human rights. The Council should be able to respond to gross human rights violations promptly, effectively and in a timely manner. In that context, Albania opposed attempts to undermine the institutional position of the Council within the United Nations system.

110. Albania remained strongly committed to the universal periodic review, which addressed all human rights applicable to all Member States, without distinction or discrimination, and was gratified that it continued to contribute significantly to the promotion and protection of human rights and fundamental freedoms on the ground.

111. In 2014, Albania had presented its national periodic report for 2010-2014 under the second cycle. Follow-up to the universal periodic review process was expected to provide for meaningful progress in national human rights policies and practice. Human rights were an important component of the broad spectrum of cross-institutional reforms, those that had been completed as well as those that were ongoing.

112. In 2009, Albania had extended a standing invitation to all special procedures, in the belief that their expertise, professionalism and independence could further strengthen national action and contribute to the implementation of international obligations. Several mandate holders had visited the country. Albania was committed to implementing their recommendations and to furthering discussions and dissemination of the recommendations among the relevant authorities, civil society and the general public. Albania offered to the region and beyond a valuable model of promotion of harmonious coexistence between different religions, cultures and civilizations.

113. **Mr. Gebru** (Ethiopia) said that Ethiopia was working unflaggingly to bring about a sustainable peace, fight poverty and backwardness, support sustainable and equitable development, democracy and good governance and to respect, protect and progressively fulfil the basic human and democratic rights of its citizens. Ethiopia was party to the core international human rights treaties and regional human rights instruments and had domesticated them into its national laws.

114. One third of the Constitution of Ethiopia was devoted to fundamental human and democratic rights and freedoms, indicating the strong focus of its Government on promotion and protection of human rights. Robust legislative measures had been taken to implement the constitutional provisions. Sound policies, strategies, programmes, packages and plans had been designed, and the appropriate institutional and administrative frameworks had also been established.

115. Respecting and protecting the rights of vulnerable groups such as women, children, persons with disabilities, the elderly and people living with HIV were central to the Government's development activities. Much had been achieved in the field of civil and political rights. The country had made rapid progress in food security, health, education, housing, clean water and employment. The Millennium Development Goals had been implemented in a timely manner.

116. Periodic reports had been submitted to the relevant committees or treaty bodies, and Ethiopia had twice undergone the universal periodic review process. The recommendations and concluding observations from the universal periodic review, the various treaty bodies and regional human rights bodies had been translated into the national language and distributed to courts of law, legislative and administrative organs of

the federal Government and regional authorities within Ethiopia for follow-up.

117. Democracy, good governance and human rights occupied a central place in the country's second plan for growth and transformation, which would be implemented over the coming five years. Ethiopia had developed its first national human rights action plan in accordance with the Vienna Declaration and Programme of Action and in line with the recommendations Ethiopia had received during the first universal periodic review. The action plan had been successfully implemented and would be concluded during 2015. The second action plan was in preparation and would factor in the recommendations and concluding observations Ethiopia had received during the second universal periodic review, as well as from various treaty bodies and regional human rights bodies.

118. Given that the observance and protection of human rights were highly participatory activities, the action plan would give prominent attention to participation by various welfare organizations and associations, as well as civil society organizations, the international community and development partners.

119. **Ms. Zhunussova** (Kazakhstan) said that thanks to policy reforms, respect for and promotion and protection of human rights had become sustainable and irreversible in Kazakhstan. The national development strategy for 2015 prioritized human rights and fundamental freedoms. The international community recognized Kazakhstan as a country with sustainable human rights mechanisms and traditions of respect for fundamental human rights. The support her country had received as chair of the Organization for Security and Co-operation in Europe and from the Organisation for Islamic Cooperation were a reflection of that.

120. Kazakhstan was on track to join all of the main international human rights instruments. In February 2015, it had ratified the Convention on the Rights of Persons with Disabilities, whose contents and approaches would be reflected in the conceptual foundation for a second human rights plan of action for the next five years.

121. Home to representatives of more than 100 ethnic groups and 18 religions, inter-ethnic harmony was thus a priority for Kazakhstan. The Assembly of People of Kazakhstan, a unique institution tasked with establishing and maintaining harmony among those groups, was marking its twentieth anniversary in 2015. Kazakhstan would continue its efforts to strengthen and support inter-ethnic harmony, both nationally and globally.

122. Kazakhstan had fulfilled most of the Millennium Development Goals, and was currently working on the Sustainable Development Goals. In the 20 years since independence, it had made significant progress in the political and socioeconomic spheres, as well as in achieving democracy. Stability and well-being were the primary challenges.

123. Kazakhstan was actively participating in the Open Working Group of the General Assembly on the Sustainable Development Goals. To improve the legal basis and give a human dimension to human rights in Kazakhstan, the Government had been implementing a legal and rights policy framework for 2010-2020. Kazakhstan was following an ombudsman model. In 2013, it had adopted legislation on torture prevention mechanisms that significantly raised the status of the ombudsman. The Office of the High Commissioner for Human Rights had provided advisory and technical assistance in that endeavour.

124. The Government of Kazakhstan was working to establish an institution to work on the rights of children. It was focusing on cooperation with civil society and was taking an equal partnership approach on questions of political development. There was a new human rights commission under the President that served as a link between the President and civil society human rights institutions. In January 2013, an advisory body had been established within the Ministry of Foreign Affairs to serve as a platform for dialogue on the human dimension. It was unique in that it supported open dialogue among the three branches of Government and civil society, to develop ways to modernize the country politically. In that context, 150 recommendations to improve democracy and the rule of law were being developed, of which more than half had been adopted by Parliament and government agencies for further development. The Ministry of Foreign Affairs had an inter-agency commission that was working on international humanitarian law and international human rights treaties and coordinating work with national bodies and the human rights mechanisms of the United Nations.

125. **Ms. Byaje** (Rwanda) said that Rwanda was committed to the promotion and protection of human

rights as a matter of top priority. That was reflected not only in the Constitution but also in various laws, policies and institutions. Rwanda had ratified almost all regional and international instruments related to the promotion and protection of human rights, and implementation reports were regularly submitted to various United Nations treaty bodies. Human rights instruments were automatically domesticated upon ratification and, under article 190 of the Constitution, could be applied immediately by the courts.

126. Owing to the genocide of the Tutsi people, Rwanda understood as almost no other country could the adverse consequences of such despicable crimes against humanity. Rwanda had managed to break with the past and restore the rule of law, based on respect for fundamental human rights, pluralistic democracy, equitable sharing, tolerance and resolution of issues through dialogue.

127. Rwanda had managed to build strong institutions, including a justice system that complied with international standards, and had further ensured civil liberties and civic engagement, including by youth and women, by fostering inclusive governance and ensuring every single person a say in the destiny of the nation. That bottom-up, people-centred approach had contributed to the stability the country had enjoyed for the past 20 years, to improved living standards and a more united, inclusive and educated society.

128. Ensuring peace and security in the aftermath of a genocide, in order to foster the right to life and development and full attainment of basic human rights, required strong legislation to deter recidivism and genocide denial, which could trigger a relapse into violence. Thanks to efforts to maintain peace and security and educate, unite and reconcile people, Rwanda placed its hopes in the younger generation. They enjoyed freedom in a reconciled country and were being prepared to pass on the values of tolerance, love and dignity, to build a future free of genocide and other human rights violations.

129. The instrumental role of the current leadership, including President Paul Kagame, in securing peace and unity, could not be overemphasized. Those conditions had a ripple effect on economic development and social progress. Committed to the Vienna Declaration and Programme of Action, Rwanda was a strong advocate of equality for all people and was at the forefront of the fight against racism, which led to attempts to denigrate, isolate and discriminate on the basis of race, religion and ethnicity, preventing people from exercising their full rights and liberties.

130. In Rwanda, such intolerance had led to marginalization of communities that were then treated as second-class citizens and later systematically slaughtered during the genocide against the Tutsi. The current leadership had engaged in a quest for peace and sustainable development for all, combating all forms of division and ensuring that all citizens enjoyed equal privileges and treatment. In addition to those gains, Rwanda had abolished the death penalty in 2007. That had been a hard but necessary decision for a country rebuilding from genocide.

131. The Government of Rwanda took all allegations of human rights violations very seriously, seeing to it that they were thoroughly investigated and that appropriate action was taken. The national police worked in tandem with the ombudsman and the national human rights commission to respond to all reports of human rights violations. The commission worked with the national human rights institutions of other countries, national and international associations and civil society and was specifically responsible for work with the human rights organs and mechanisms of the United Nations.

132. **Ms. Simovich** (Israel), speaking in exercise of the right of reply, said that the speech by the representative of Palestine was, unfortunately, a good example of Palestinian incitement, which occurred on an ongoing, daily basis. Shameful and outrageous, it did not encourage a spirit of trust or coexistence. The Palestinian representative had mentioned civilians who had been killed. In fact, tens of Israelis had been killed by Palestinians in recent days, including by children, the result of incitement by the Palestinian media and educational system. For example, two weeks earlier, a 13-year-old Palestinian had brutally attacked a 13-year-old Israeli boy on a bicycle, stabbing him no less than 15 times.

133. In the aftermath of that event, the Chair of the Palestinian Authority had accused Israel of killing an innocent 13-year-old Palestinian boy. The boy described as 'innocent' was in fact a terrorist. Moreover, he had not been killed, but was receiving excellent medical care in an Israeli hospital. Such comments, and the intervention by the Palestinian representative, were typical of the blatant lies,

distortions and falsehoods propagated by the Palestinian Authority. It would be more useful for the Palestinian Authority to accept calls by Israel and the international community to reopen direct negotiations to resolve all issues for the benefit of both sides.

134. **Ms. Rasheed** (Observer for Palestine), speaking in exercise of the right of reply, said that the representative of Israel had avoided addressing her country's illegal occupation of Palestine, now in its forty-eighth year, under which countless deplorable crimes and human rights violations were being perpetuated against the entire Palestinian population. Such distortions ignored the rights of the Palestinian people living under the occupation, as well as their struggle for the realization of their human rights.

135. Foreign military occupation was taking place in Palestinian lands that were not part of Israel. Israeli occupying forces were using brute force to terrorize Palestinian children. Palestinians were being detained. Palestinian children were watching their homes being demolished. There were Palestinian children being prevented from attending school or going to a hospital, and Palestinian children watching their parents being humiliated by Israeli soldiers or settlers. All of that was going on currently. Palestinian children had lived their entire lives under occupation and were struggling for their lives. It was happening because the Palestinians were under occupation. They were an occupied people.

136. Unlike the Israeli leadership, the Palestinian leadership had consistently condemned killings of and violence against all innocent civilians. Such condemnations had never been heard from Israel. Instead, taking the easier route as the occupier, Israel conveniently labelled all Palestinians 'terrorists,' regardless of whether the person in question was eight months old, 13 years old, or 70.

137. Israelis needed to understand that peace and security must be the goal for both sides, not just for the Israelis. Israel could not have security as long as it remained an occupier, oppressing and brutalizing an entire population. If Israel indeed wanted to protect its people, why did it place its citizens precisely in the place that it claimed was the source of the threat? Why did it build 85 per cent of an illegal wall on Palestinian land?

138. Palestine rejected the absurd and unacceptable assertions made by the representative of Israel that Palestinians incited their children to hatred. That was typical racist rhetoric reflecting a policy of relentless dehumanization of the Palestinian people and distorting the Palestinians' rejection of the cruel and illegal occupation, as they continued to seek their freedom and inalienable rights. It was Israel that was harming Palestinian children, women and men, in every way, every single day, through its countless violations of international law, affronting the Palestinians' human dignity and human security. The occupying power must be held accountable for all of those violations and crimes.

139. A review of Palestinian textbooks would be welcomed. The occupying power continually repeated the lie that Palestinian textbooks incited pupils to violence. Palestinian curricula were reviewed by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and were largely funded by the international community. The international community must reject those outright racist accusations by the occupying power.

140. There were constant calls to return to the negotiations over the peace process. The Palestinian delegation had clearly stated that the peace process had failed for over 20 years, during which time the occupation had become further entrenched and the number of illegal Israeli settlers had increased to its current level of 600,000. Thousands of Palestinian homes had been destroyed. A wall bisected Palestinian territory and there was a blockade against 1.8 million civilians.

141. The Prime Minister of Israel himself had stated that under his watch there would never be a Palestinian State. That raised questions about the nature of the negotiations and the peace process.

The meeting rose at 5.40 p.m.